

## **REMARKS**

In an Office Action dated August 19, 2009, claims 1-15 of the present application were rejected. Additionally, the rejection of claims 1-15 was maintained in an Advisory Action mailed January 7, 2010 in response to Applicant's Request for Reconsideration filed November 12, 2009. Herein, claims 1, 8, and 15 are amended. No new matter has been added. Applicant respectfully requests further examination and reconsideration of the present application.

Claims 1-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (US 2005/0081159, hereafter "Gupta") in view of McLaren et al. (US 6,064,794, hereafter "McLaren"). Applicant respectfully requests reconsideration of the above rejection based on the following remarks.

Claim 1 recites, in part, that a reproduction control section controls a reproduction method so that a reproduction method for cited data which is detected by a cited data detecting section is different from a reproduction method for data other than the cited data which is detected by the cited data detecting section in received mail data. Applicant respectfully submits that this feature of claim 1 is not disclosed or suggested by any combination of Gupta and McLaren based on the following.

On page 5 of the Office Action, the Examiner acknowledges that Gupta does not disclose that the reproduction control section controls the reproduction method so that a reproduction method for the cited data is different from a reproduction method for data other than the cited data in the received mail data. Accordingly, McLaren must disclose or suggest the reproduction control section of claim 1 in order for any combination of Gupta and McLaren to render this feature of claim 1 obvious. Applicant respectfully submits that McLaren fails to disclose or suggest that a reproduction control section controls a reproduction method so that a reproduction method for cited data which is detected by a cited data detecting section is different from a reproduction method for data other than the cited data which is detected by the cited data detecting section in received mail, based on the following remarks.

McLaren discloses allowing a user to control a playback speed of a video stream by selecting trick play streams in which the playback speed of the video stream is altered (McLaren, Col. 5, Lines 45-50). Additionally, McLaren discloses determining if a new play speed has been selected by the user (step 300) and, if not, determining whether the program has ended (step 700), therefore forming a loop which waits for either a play speed change command from the user or the program to end (Fig. 5, and Col. 7, Lines 49-54). In other words, McLaren discloses **user controlled** playback speed of a video stream, and that if the user **does not** provide a command to change playback speed, the playback speed of a video stream **will not** change. Therefore, altering playback speed of the video stream is determined solely by arbitrary user selection and not by data type.

Contrast the above playback control method of McLaren to that of claim 1 in which a reproduction control section controls a reproduction method so that a reproduction method for cited data which is detected by a cited data detecting section is different from a reproduction method for data other than the cited data which is detected by the cited data detecting section in received mail. In other words, claim 1 recites controlling the reproduction method of data based on **whether data is cited data detected by the cited data detection section**, that is, playback control is controlled by data type as determined by the cited data detection section.

In view of the above, Applicant respectfully submits that McLaren fails to disclose or suggest that a reproduction control section controls a reproduction method so that a reproduction method for cited data which is detected by a cited data detecting section is different from a reproduction method for data other than the cited data which is detected by the cited data detecting section in received mail data.

Additionally, Applicant notes that on page 6 of the Office Action, the Examiner takes the position that McLaren discloses that the reproduction control section controls the reproduction method so that a reproduction method for the cited data is different from a reproduction method for data other than the cited data in the received mail data. However, on page 3 of the Advisory Action, the Examiner takes the position that McLaren is **not** relied upon to disclose a

reproduction method for the cited data is different from a reproduction method for data other than the cited data in the received mail data. Further, on page 4 of the Advisory Action, the Examiner takes the position that a reproduction method for the cited data is different from a reproduction method for data other than the cited data in the received mail data is vaguely disclosed by the combination of McLaren and Gupta.

As noted above, McLaren does not disclose that playback control is controlled by data type as determined by the cited data detection section, and the Examiner concedes that the reproduction control section as recited in claim 1 is not disclosed by Gupta. Accordingly, Applicant notes that the Examiner has not pointed to any disclosure in either of the cited references that discloses that the reproduction control section controls the reproduction method so that a reproduction method for cited data which is detected by a cited data detecting section is different from a reproduction method for data other than the cited data which is detected by the cited data detecting section in the received mail data (i.e. that playback control is controlled by data type determined by the cited data detecting section). Therefore, if the rejection of claim 1 is maintained, in order for the Applicant to make an informed decision with regard to appeal, Applicant kindly requests that the Examiner explicitly identify the elements in either McLaren or Gupta that are being relied upon as corresponding to the claimed reproduction control section.

In view of the above, Applicant respectfully submits that claim 1 is patentable over any combination of Gupta and McLaren.

Further, claims 2-7 are patentable over any combination of Gupta and McLaren based at least on their dependency from claim 1.

Regarding claim 8, Applicant notes that claim 8 recites, in part, making a reproduction method for mail data such that different reproduction methods are used for a case in which data to be reproduced is a detected cited part and a case in which the data to be reproduced is data which is another part than the detected cited part. Therefore, Applicant respectfully submits that claim 8 is patentable over any combination of Gupta and McLaren for reasons similar to those discussed above with respect to claim 1.

Further, claims 9-14 are patentable over any combination of Gupta and McLaren based at least on their dependency from claim 8.

Regarding claim 15, Applicant notes that claim 15 recites, in part, a reproduction control section operable to control a reproducing method of received mail data based on a detection result by a cited data detecting section so that a reproduction method for cited data which is detected by the cited data detecting section is different from a reproduction method for data other than the cited data which is detected by the cited data detecting section in the received mail data. Therefore, Applicant respectfully submits that claim 15 is patentable over any combination of Gupta and McLaren for reasons similar to those discussed above with respect to claim 1.

Therefore, Applicant respectfully submits that claims 1, 8, and 15, as well as the claims depending therefrom, are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If after reviewing this Amendment, the Examiner feels that there are any issues remaining which must be resolved before the application can be passed to issue, Applicant respectfully requests that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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/Stephen W. Kopchik/

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